

WOODBURN PLANNING COMMISSION MEETING MINUTES
September 24, 2009

CONVENED The Planning Commission met in a regular session at 7:00 p.m. in City Hall Council Chambers with Chairperson Bandelow presiding.

Chairperson Bandelow read a statement outlining the process for the Planning Commission's meeting, establishing time limits for persons and groups who wanted to speak before the Commission on any matter scheduled this evening..

Chairperson Bandelow announced that the agenda was available at the back of the room. The Commission would consider cases one at a time according to the order listed in the agenda. The Commission would follow the hearing procedure outlined on the public hearing procedure board. All persons wishing to speak were requested to come to the podium and give their name and address. Any individuals speaking from other than the podium would not be recognized.

Commissioner Jennings led the salute to the flag.

ROLL CALL

Chairperson	Bandelow	Present
Vice Chairperson	Vancil	Present
Commissioner	GrosJacques	Present
Commissioner	Grigorieff	Present
Commissioner	Hutchison	Present
Commissioner	Jennings	Present
Commissioner	Kenagy	Present

Staff Present:	Terrie Stevens	Assistant City Administrator
	Jim Hendryx	Economic & Development Services Director
	Dan Brown	Public Works Director
	Jon Stuart	Assistant City Attorney
	Natalie Labossiere	Senior Planner
	Nadia Seledkov	Administrative Assistant

ITEMS FOR ACTION

- A. Final Order- Variance 2009-01, City of Woodburn, applicant**
Commissioner Jennings made a motion to approve variance 2009-01.
Commissioner GrosJacques seconded the motion. No Commissioners were opposed, and the motion carried.

PUBLIC HEARING

- A. Type V- Legislative Amendment- LA 2009-01-City of Woodburn**
A legislative amendment to revise the Comprehensive Plan map and text, the Woodburn Development Ordinance, and the Transportation Systems Plan with the proposed recommendations found in the Woodburn Downtown Development Plan update.

STAFF REPORT

Economic & Development Services Director Jim Hendryx presented the information regarding the Legislative Amendments with a power-point presentation on the Update of the 1998 Downtown Development Plan and proposed revisions. Proposed amendments include: the Comprehensive Plan

text, Comprehensive Plan map, Transportation Systems Plan, and Woodburn Development Ordinance.

Hendryx went over how the land use process works, explaining that the public hearing follows the State of Oregon statutes. Oregon Law (ORS 197.610) governs proposals to amend a local government's acknowledged Comprehensive Plan or land use regulation, or to adopt a new land use regulation. The law requires the Planning Commission to hold at least one public hearing before recommending action on a legislative proposal

Hendryx spoke about the Comprehensive Plan calling for an update to the Downtown Plan every 5 years. In 2001, to fund a broader program of commercial and residential revitalization, the City Council formed an urban renewal district centered on the downtown area. In 2006 the City received a grant from the Oregon Transportation and Growth Management Program to help fund an update of the 1998 Plan. The process included several groups and procedures to formulate the best development of the plan. The Stakeholder Working Group guided the development, public involvement shaped the plan, civic and business groups were contacted as community outreach, and open houses and a joint Planning Commission/City Council workshop was held. The key aspects of the Downtown Development Plan Update include: the Comprehensive Plan and Development Ordinance amendments, a Strategic Business Plan, an Implementation plan, and public hearings before Planning Commission and City Council. The City Council is the decision-making body on the plan.

Hendryx spoke about the downtown design and proposed zoning revisions in the proposed Woodburn Development Ordinance amendment. Zoning revisions are proposed for the CG and DDC zone. The CG zone would be modified to create a Gateway Sub-district that would allow multi-family dwellings, duplexes, single-family attached dwellings, and management and corporate offices. Incompatible light industrial and manufacturing uses would be discouraged and not allowed to expand. The DDC zone would have revisions to emphasize historic character and pedestrian-oriented architecture. The revisions would allow more flexibility for housing choices and establish a building height limit. There currently isn't a height limit downtown.

Hendryx spoke about the Transportation Systems Plan amendment; it identified a number of improvements to better integrate the downtown. Portions of Grant, Hayes, Harrison, and 1st Street would convert to one-way streets. Also, two new street design cross sections standards were developed. Young Street would be established as a gateway corridor, and improvement standards were developed.

Hendryx spoke about additional features that are included in the proposed update: it establishes an implementation plan that identifies the key actions to achieve the vision and goals for downtown; it includes a Strategic Business Development Plan that analyzes market opportunities and constraints for downtown Woodburn; and it includes a Housing Strategy that provides an overview of urban housing trends and a housing demand forecast in downtown during the next 20 years. It also includes a framework for transportation improvements that focuses on pedestrian improvements, streetscape enhancements, and parking improvements for "Old Town" and streetscape enhancement concepts for Young Street.

Hendryx spoke about the process of the proposed amendment at the public hearing, which gives the public the opportunity to comment and give input on the proposed plan, and then allows the Planning Commission an opportunity for consideration of testimony. If necessary the Planning Commission may continue the hearing and makes recommendation to the City Council. The Planning Commission can recommend approval of the Downtown Development Plan 'as-is', with modifications, or forego any action on the Plan. Staff recommends that the Planning Commission approve the amendments with modifications.

Vice Chairperson Vancil questioned whether the Commission could recommend rejecting it outright.

Hendryx responded yes; then it would go to the City Council as being rejected. The other alternative would be to consider a continuance on the matter.

Commissioner Jennings stated that the map in the staff report was incorrect, and asked if a corrected one be included in the public record.

Hendryx noted that the map had formatting problems and that the correct map was part of the record.

Commissioner Hutchings asked if particular manufacturing in the proposed CG subdistrict would be not allowed.

Hendryx replied that in the future, in the CG Zone, new manufacturing will not be allowed; the existing businesses would be grandfathered in. Hendryx went on to explain ordinance provisions for non-conforming uses.

Commissioner Jennings questioned the verbiage with regard to signs/murals; why are they allowed but discouraged.

Hendryx replied that currently they aren't allowed at all; in the future they would be allowed but may not be appropriate for all areas.

Vice Chairperson Vancil noted that the plan includes parking improvements but he didn't see any increases, was it a matter of perception.

Hendryx clarified that there would be a net increase, but very small.

Chairperson Bandelow invited testimony from the audience; and requested proponents of the proposal to testify first.

Don Judson, 2815 Hazelnut Drive, stated that he is a member of the Woodburn Chamber of Commerce. He stated that he approved of the good work done on the plan and liked the idea of creating a healthy heart with the downtown. He said that it should include the east side across the railroad also to create a unified downtown district. He mentioned that he went to the Historic Woodburn Neighborhoods Association meeting and agrees with and applauds their vision for a vitalized downtown. He does, however, have some disagreement that all buildings in downtown need to be preserved. It makes sense to build new buildings instead of repairing excessively deteriorated buildings if it would be less expensive to build new ones. Developers would be leery of getting involved in projects that held such strict requirements. The Pearl District of Portland would be a good example of how multi-family housing would work along with commercial zoning; their affordable housing percentage there is at 22%. He wouldn't like to see a restriction on height as it's easier to build up rather than out in the limited space available. He said that even if it's estimated that 3,000 people per month are moving into the area that may be an overstatement. Developers follow the market; right now the property prices are cheap; if there were incentives for developers, they would come. He had some things to say about traffic too; truck traffic can be limited, angled parking would help, limiting one way streets to 1st, Harrison, Grant, and Hayes would be good. The Chamber of Commerce is ready to implement changes.

Bruce Thomas, 795 Corby Street stated he was glad to see so much interest by the public. Neighbors should be invited for input.

Ruth Herman-Wells, the Historic Woodburn Neighborhoods Association spokeswoman, presented her presentation of the packet that was submitted for the public record. She asked the audience to follow along with her on a 24-hour watch of the neighborhood. The Historic Woodburn Neighborhoods Association had asked the City to reduce crime and clean up and the response was no, and that it wasn't relevant.

Vice Chairperson Vancil stated that the Planning Commission can talk about height restrictions, and land use issues, but have no power to police the city. Recommendations for changes to the plan could be

made addressing it.

Ruth Herman-Wells replied that changes could be made to pages 44-48 of the proposed Downtown Development Plan Update to address crime and cleanup more, so funds can be allocated for this.

Commissioner Jennings questioned that if the plan addresses crime, why is there an objection.

Ruth Herman-Wells replied that it was too general and should be more specific. The Association wouldn't like to see more high density housing and traffic. Businesses shouldn't be replaced with housing. Traffic should bypass residential areas, as nobody goes to downtown except to commute through the area. Noise reduction is important. Problem rentals should be reduced so that no housing that allows 20-40 people could exist. The association wants the Planning Commission to postpone approval of the plan until the plan is redone with their recommendations.

Commissioner Kenagy agreed that noise reduction would be good.

Vice Chairperson Vancil stated that instead of redeveloping, making it more livable would be an option.

Ruth Herman-Wells reiterated that crime reduction and cleanup should be a priority.

Vice Chairperson Vancil asked if those changes were made would the Association agree then?

Ruth Herman-Wells replied that they were closer to the original 1998 Plan because nuances of land use are critical to the future of the city. Crime and cleanup are their main concerns.

Commissioner Jennings requested clarification, asking if they wanted the bulk of recommendations to be like 1998 plan and adding association's recommendations to that.

Ruth Herman-Wells replied yes.

Peppi Kosikowski, 611 Harrison Street, said she wanted to discuss opposition to 5th Street re-opening.

Chairperson Bandelow stated that this wasn't the time to bring that up; now was the time to comment on the Downtown Plan.

Peppi Kosikowski withdrew her statement.

Durrell Crays, Historic Woodburn Neighborhoods Association Chairman, 167 N. Settlemier Street, expressed his opposition to the Downtown Development Plan Update by saying that it was totally dependant on great developers or magical benevolence to avoid failure of downtown. There should be more emphasis on façade improvements.

Kay McKeen, 586 Settlemier Street, spoke about her dissatisfaction with the consultants that were outsourced to create the update; from limited information come limited results. Good studies are needed to provide good facts. There was no clear understanding in it why changes to the original plan were done. What started as a re-development plan ended up being a cookie-cutter plan. The consultants compared the cities of Seattle and Boise to our tiny town. Facts were in error, and not all elements were explored.

Eric Center, 234 S. Settlemier Street, 30 year resident, expressed his opposition to the plan. He proposed that the City have a "fire sale" and to burn down the existing old buildings and put in a grade school, high school, or a college like Western Oregon State College in Monmouth; thereby bringing in money to spend locally. There will always be a need for education and it will revive the downtown.

Shelly Robinson, 470 Montgomery Street, spoke of her opposition to the plan. She spoke of being a

jogger and how she feels afraid when she jogs through the downtown area. The loitering, bars on the windows, and graffiti are scary. There needs to be a respect for the downtown and its buildings. She thought there should be an effort to bring in a bookstore, a café to bring young people in, and a movie theatre. She said her kids are afraid to go downtown without an adult; she always has to go with them.

Chairperson Bandelow noted that as a jogger she thought the uneven quality of the sidewalks was a bigger danger than anything else.

Casey Robles, 951 N. 5th Street, 30 year resident, said that she avoids the downtown area and tells her 13 year old son to avoid it also because she feels it is dangerous. She offered to show anyone who would like to see her neighborhood by walking through it after dark. Safety is an issue; she wants to see cleanup at the top of the list of priorities.

Vice Chairperson Vancil clarified that by cleanup she meant livability.

Commissioner Jennings stated that the Planning Commission could address land use decisions only.

Sheleen Milburn, 330 S. Settlemier Street, expressed opposition to the plan; stating that this was the only forum available to speak by the public. She wanted to talk about code, livability, crime issues; if these aren't addressed nobody will want to step forth into this town. She felt that the consultants had their plan already prepared and printed before they even took in any suggestions by the public. She wants more policing/security before anyone does anything else. She also doesn't allow her kids to go to downtown.

Stan Tripp, 182 S. Settlemier Street, expressed opposition to the plan; asking if there was something that could be added to the plan to address policing and security.

Chairperson Bandelow responded that the strength has to come from the community; strong language needs to be added in written form so that follow-up can happen.

Stan Tripp added that he thought property owners need to be held responsible for security of their properties and buildings. Police won't even come out to fill out a report to address complaints.

Dogmar Kinue, 586 Grant Street, expressed opposition to the plan; stating that Woodburn wasn't ready for high density housing in downtown and there were more changes that needed to be made to the plan.

Bruce Thomas, 795 Corby Street, expressed support for the proposed update; stating that the original Downtown Development Plan of 1998 was started by 40 citizens at Lupita's Restaurant and as a result there have been changes. It has been 60 years since concrete was poured in downtown. As a result homeowner's pride surfaced; people cleaned up their properties. Livability is an issue and citizen involvement drives what happens in the future. What we talk about today won't happen for 10 years.

Commissioner Jennings stated that we should get rid of the consultants and instead organize 40 local people together and make the changes that are needed.

Kay McKewen, 54 Smith Drive, expressed opposition to the plan; stating that safety is an issue. A complaint regarding loitering was made but it didn't go anywhere.

Terri Coleman, 192 Young Street business owner, expressed opposition to the plan; stating that the proposed Industrial Zone changes to include housing overlays would affect family-run businesses that have been strong supporters of the city and have provided many jobs. That would greatly affect those businesses that have poured their hearts into downtown, and are committed to Woodburn. After all that time spent building up their business; now they wouldn't be able to sell the business if the proposed changes go into effect. That takes away their retirement money; the businesses are their retirements. Grandfathering doesn't work for them because it takes away their retirement. Cleaning up the property area is acceptable, but property owners need a reason to rise to the occasion. Anything would be better

than what is at downtown now.

Richard Lowery, 479 5th Street, stated that the hearing should be continued; even if the proposed plan is tossed, the money was well spent in causing discussion.

Chairperson Bandelow, asked if there were any more questions or testimony.

There were none.

Assistant City Attorney Stuart stated that the Planning Commission had the discretion to continue the hearing while closing the public testimony portion of the hearing if they chose.

Chairperson Bandelow closed the public testimony portion of the hearing.

Commissioner Jennings commented that he liked the Public Works written testimony regarding one-way streets, then said he was unsure why there was wasted verbiage about wall murals on page 25. Then he noted that the plan is so expensive that it won't happen in 5-10 years.

Vice Chairperson Vancil added that it wouldn't happen in 25 years.

Commissioner Jennings stated that we can't afford this; we need to get the talented locals, not consultants, to do it. We can do better.

Commissioner Hutchison stated that he had questions about the rezoning of districts; particularly the CG zones.

Vice Chairperson Vancil noted that in the overlay zone, going from no housing to high density housing was extreme.

Hendryx stated that the proposal would be allowing 12 units per acre; it could say no housing, or limit how much would be allowed. Currently CG zone doesn't allow housing at all.

Commissioner Jennings stated that there were lots of ramifications that were unknown.

Hendryx responded that modifications could be made if the Commission chose to; that is part of the land use process.

Chairperson Bandelow noted that historically businesses had residences above them.

Commissioner Hutchison questioned if funding could be increased to include law enforcement.

Commissioner Jennings noted that on page 47, the plan asks for three independent studies at \$25,000 each to be done; totaling \$75,000; which is a big expenditure.

Chairperson Bandelow questioned whether that was called for in the 1998 Plan or in the proposed update as this wasn't underlined in the update.

Commissioner Jennings stated that he wasn't sure if this was in the original plan.

Hendryx stated that as this was all to be typically funded from urban renewal moneys and part of it was to go toward marketing, loans and grants. Police and code enforcement, on the other hand, come from the general fund. The City could help a developer with a feasibility study.

Vice Chairperson Vancil stated that this was precisely what he thinks is wrong with the plan.

Commissioner Jennings stated that in the update if you follow the proposed plan, millions of dollars would be tallied; we can't afford it.

Senior Planner Labossiere stated that it was a summary of what was proposed in Appendix A.

Commissioner Jennings clarified that it was new and we can't afford it.

Hendryx stated it was confusing to follow along but as outlined in the staff report earlier the chain of the process would go on to the City Council and then to the Urban Renewal Agency.

Commissioner Jennings stated that there was reference to the former City Hall Building being a symbol of Woodburn and we should fix it. It doesn't cite the fact that it was a condemned building for public use and that because of the building codes when it was built it would be too expensive to retrofit it to meet earthquake codes.

Vice Chairperson Vancil agreed that it would be too expensive to retrofit the former City Hall Building to meet current earthquake codes.

Commissioner Jennings stated that all of those things are in this proposed plan and he didn't know how they would be expected to deal with them all in just one night. If we had to go over the plan to make the changes that needed to be done line by line, it would take longer than one night and it still would not be completely discussed.

Vice Chairperson Vancil added that there needed to be more changes to the plan.

Commissioner Jennings agreed and recommended that a workshop was needed to work out the problems in the proposed plan update and come up with a document the Commission could live with.

Chairperson Bandelow stated that she understood that the money just wasn't there; consultant fees were unacceptable.

Hendryx stated that there would be urban renewal money available as the community developed.

Vice Chairperson Vancil questioned whether any of that money from urban renewal could be used for code enforcement and public safety issues; if that was legal.

Director Hendryx stated that it would have to be discussed with legal counsel.

Assistant City Attorney Stuart stated that it would have to be looked at but it was unlikely that Urban Renewal Funds could be put toward this.

Vice Chairperson Vancil stated that livability is the biggest issue before any recommendations were to be made on the Downtown Development Plan Update.

Chairperson Bandelow stated that it was 9:30 and there was still so much to go over.

Commissioner Grigorieff stated that zoning in the CG zone should stay as it is. The number one concern should be citizen safety; businesses won't come without it. Who would want to buy a house next to the railroad?

Commissioner GrosJacques noted that the CG zone overlay changes were a concern for the current businesses to be impacted. That needs to be addressed.

Commissioner Kenagy stated that crime is the number one issue; suggesting a workshop to make the plan work. The plan needs to incorporate the historic society's suggestions.

There was general discussion among the Commissioners.

Chairperson Bandelow questioned whether there should be another meeting to discuss whether the plan should be continued or thrown out and started over.

Commissioner Jennings suggested that it be forwarded to City Council with a recommendation of denial and a recommendation to form a citizen task force to look at this problem and get it resolved.

Commissioner Jennings made a motion to forward the Woodburn Downtown Development Plan Update for the City of Woodburn and the Dream of Our Historic Downtown – the Old Settlemier District plan; along with the recommendations of the Public Works Director, with a recommendation of denial and that the Mayor appoint a citizens task force to work in conjunction with Hendryx to rewrite the Downtown Development Plan Update.

Commissioner GrosJacques seconded the motion.

Hendryx suggested that the Commission could form a subcommittee to work on redrafting the plan.

Assistant City Attorney Stuart stated that they could choose to not recommend specific parts of the plan. They are asked to approve land use components of the plan with amendments or not. He recommends that they put it to a vote or amend the motion.

Chairperson Bandelow asked for a recap of the motion.

Commissioner Jennings stated that he would like to amend the motion that the Planning Commission encourages the City Council to pass the Public Works recommendation; just the transportation portion of the plan.

There was general discussion among the Commissioners.

Commissioner Jennings stated that he withdrew his amendment to the motion

Chairperson Bandelow requested a roll call of the Planning Commission for a recommendation of denial of the entire planned Update.

ROLL CALL

Chairperson	Bandelow	Yes
Vice Chairperson	Vancil	Yes
Commissioner	GrosJacques	Yes
Commissioner	Grigorieff	Yes
Commissioner	Hutchison	Yes
Commissioner	Jennings	Yes
Commissioner	Kenagy	Yes

There was general discussion of what would happen with the update now that it was voted out.

Commissioner GrosJacques made a motion to put together a committee that works together with the community and chamber and make all three of these plans come together and go back to the Council with our recommendations from there.

Commissioner Jennings stated that the Commission couldn't form a committee; that only the Mayor could recommend that the City create a task force.

Assistant City Attorney Stuart clarified that through this motion the Planning Commission wasn't trying to

form a committee or body but recommend to the Council that the City form one.

Commissioner Kenagy seconded the motion.

Chairperson Bandelow clarified that the motion is to ask the Mayor to form a task force to work on bringing all three of these plans together as Commissioner GrosJacques stated in his motion and that the Commission recommended that the Council go along with the Mayor's recommendation.

Chairperson Bandelow asked for a vote. The motion carried on a voice vote.

Chairperson Bandelow called a five minute recess.

Chairperson Bandelow reconvened the meeting for the next item on the agenda.

REPORTS

- A. Planning Project Tracking Sheet-September 14, 2009
- B. Planning Activity Report: July 16, 2009-September 14, 2009
- C. Building Activity for July 2009, and August 2009

Vice Chairperson Vancil asked where the large dollar amount was from in the building activity report.

Hendryx replied that it was from remodeling and tenant improvements in the company stores.

Commissioner Jennings asked what denied final meant from the planning activity report.

Hendryx replied that it meant the business application was denied for code zoning issues. They could reapply if they chose to and if the type was acceptable in the zone then it may be approved. An example of denied Type I applications are people wanting to have a restaurant at their home; catering services to a restaurant would be allowed, having a restaurant wouldn't.

ADJOURNMENT

Commissioner Jennings moved to adjourn the meeting. Commissioner Hutchison seconded the motion, which carried unanimously. Meeting adjourned at 10pm.

APPROVED _____
Ellen Bandelow, CHAIRPERSON Date _____

ATTEST _____
Jim Hendryx
Economic & Development Services Director
City of Woodburn, Oregon Date _____